

**TOWN OF GRANBY
ZONING BOARD OF APPEALS
MINUTES
MAY 21, 2013**

Present: Wayne Chapple, Kelly Rome, Judy Goff, and William Percival

Chairman Chapple convened the meeting at 7:32 p.m. and Secretary William Percival read the Legal Notice. The Legal Notice was published on May 10, 2013 and May 17, 2013 in the Connecticut Section of the *Hartford Courant*.

REGULAR MINUTES

ON A MOTION by W. Percival, seconded by K. Rome, the Board voted (4-0-0) to approve the minutes of the regular meeting of March 19, 2013 as presented.

Chairman Chapple explained the procedure of the meeting and noted to those in attendance that decisions would generally be mailed to the applicant within ten days. Approval, when granted, shall be null and void if not filed within 90 days of the approval date.

PUBLIC HEARING

The hearing on the appeal by Archangelo Damato and Darlene Buckland seeking a variance to side yard requirements, Section 5.0 of the Zoning Regulations to allow construction of a home addition to property located at 7 Rickwood Lane, opened at 7:36 p.m.

Lorri DiBattisto, DiBattisto Associates, East Granby, appeared on behalf of Ms. Buckland and explained the request for a variance. Ms. Buckland would like to build a 633 square foot addition to be used as an in-law apartment. The proposed location of the addition is based on recent landscaping work done in the back yard, the position of the in-ground pool, septic system, and well. Mr. Percival asked if the overhangs were taken into consideration when determining the number of feet of variance being asked for. Ms. DiBattisto stated the overhangs are not on the side of the addition, but on the front and back. Ms. DiBattisto noted that the proposed addition would become an accessory apartment for Ms. Buckland's mother. Eventually Ms. Buckland plans to have her daughter move into the main part of the house and she would live in the apartment. Ms. DiBattisto also noted Ms. Buckland is aware that a Special Permit is required for the creation and use of the apartment. She has submitted an application to the Planning and Zoning Commission, under Section 8.5 of the Zoning Regulations.

Public comment: Dominick Mandico, 5 Rickwood Lane, stated he thinks an addition of almost 700 square feet is a lot of additional living space. He thinks it should be limited to a bedroom, bathroom, and living room, with no kitchen. Iris Mandico also spoke and voiced her concerns over the future use of this in-law apartment, possibly as rental property for a non-family member. Chairman Chapple spoke about the Special Permit required and noted that rental to a non-family member could be avoided through the action of the Planning and Zoning Commission. Ms. Buckland spoke, stating her intentions for the use of the apartment, specifically with her family in mind. She stated there is only outside access for the apartment and therefore a kitchen in the apartment is necessary. Moving the addition back four to five feet would avoid the need for a variance, but would partially block natural light into areas of the main house and backyard space would be lost.

This public hearing closed at 8:30 p.m.

The hearing on the appeal by Doug Max seeking a variance to front yard requirements, Section 5.0 of the Zoning Regulations to allow construction of a home addition to property located at 2R West Lakeview Road, noting this is a reconsideration to correct a clerical error, opened at 8:31 p.m.

Chairman Chapple explained that this is a request to re-approve a previously approved application. The re-approval is necessary, as the previous application was not properly advertised as required by State Statute.

There was no public comment.

This public hearing closed at 8:32 p.m.

ON A MOTION by W. Percival, seconded by J. Goff, the Board voted unanimously (4-0-0) to deny a variance to Section 5.0 of the Zoning Regulations for Archangelo Damato and Darlene Buckland, as outlined in the subject file, for property located at 7 Rickwood Lane as the applicant failed to establish a hardship which properly demonstrated that the variance was not necessary.

ON A MOTION by K. Rome, seconded by W. Percival, the Board voted unanimously (4-0-0) to re-approve a variance to Section 5.0 of the Zoning Regulations for Doug Max, as outlined in the subject file, for property located at 2R West Lakeview Road, noting this is a reconsideration to correct a clerical error, as follows:

a front yard variance of no more than 10 feet is approved to allow construction of a home addition, as proposed.

The hardships noted include the proposed location of the septic system and the well, with proximity to the house and Manitook Lake.

The meeting adjourned at 8:38 p.m.

Respectfully submitted,

Susan Christian
Recording Secretary